

May 30, 2008

*By Electronic Filing*

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
9300 East Hampton Drive  
Capitol Heights, MD 20743

RE: EB-06-TC-060  
EB Docket No. 06-36  
Duplicate Copy of CPNI Certification Timely Filed on February 8, 2008  
for Inclusion in Electronic Database

Dear Secretary Dortch:

RTEC Communications ("RTEC") submitted its CPNI Compliance Certification for filing with the Commission on February 8, 2008. CPNI Compliance Certifications were due on March 1, 2008, and thus RTEC's filing was submitted on a timely basis. (See attached Federal Express waybill and tracking report.) Though RTEC included an extra copy of the certification and a self-addressed stamped envelope so that a file-stamped copy could be returned for its files, no such copy was ever received.

RTEC then attempted to retrieve an electronic copy of the date-stamped certification from the Commission's ECFS database on the Commission's website. After being unable to find RTEC's certification in the ECFS database, I contacted Marcy Greene in the Commission's Enforcement Bureau, who is a contact for the CPNI certification proceeding, to ask what steps RTEC should take to obtain a date-stamped copy of the certification so that it will have confirmation that the Commission received the certification, and may place such date-stamped certification in its files. Ms. Greene directed me to submit a duplicate copy of RTEC's CPNI Compliance Certification along with a cover letter explaining the circumstances of the original filing and attaching proof of service for the original filing.

In accordance with Ms. Greene's instructions, enclosed is RTEC's CPNI Compliance Certification. This is a duplicate copy of the certification which was sent to the Commission for filing on a timely basis on February 8, 2008; no changes have been made. As referenced above, also enclosed are Federal Express tracking documents confirming the original filing.

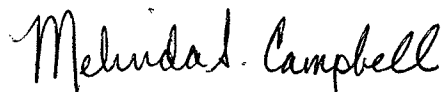
Melinda.Campbell@ThompsonHine.com Phone 614.469.3274 Fax 614.469.3361

580112.2

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
May 30, 2008  
Page 2

If you have any questions or need any additional information, please contact the undersigned.

Sincerely,



Melinda S. Campbell  
Attorney for RTEC Communications

Enclosures

cc: Marcy Greene, FCC  
Carolyn Flahive, Esq. (w/o enclosure)  
Federal Communications Commission, Enforcement Bureau,  
Telecommunications Consumers Division (w/enclosure)  
Best Copy & Printing, Inc. (BCPI) (w/enclosure)

---

February 8, 2008

*By FedEx*

COPY

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
9300 East Hampton Drive  
Capitol Heights, MD 20743

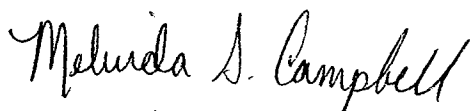
RE: EB-06-TC-060  
EB Docket No. 06-36  
Certification of CPNI Filing

Dear Secretary Dortch:

As required by the Report and Order and Further Notice of Proposed Rulemaking released on April 2, 2007 (FCC 07-22), enclosed are the original and four copies of RTEC Communications' most recent CPNI Compliance Certification and the accompanying statement explaining how its operating procedures ensure compliance with the rules. Please acknowledge receipt of this transmittal by returning a date-stamped copy of the Certification in the self-addressed, stamped envelope.

If you have any questions or need any additional information, please contact me.

Sincerely,



Melinda S. Campbell  
Attorney for RTEC Communications

Enclosure

cc: Carolyn Flahive, Esq. (w/o enclosure)  
Federal Communications Commission, Enforcement Bureau,  
Telecommunications Consumers Division (w/enclosure)  
Best Copy & Printing, Inc. (BCPI) (w/enclosure)

BEFORE  
THE FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

EB-06-TC-060

EB Docket No. 06-36

COPY

ANNUAL 47 C.F.R § 64.2009(e) CPNI CERTIFICATION

Annual 64.2009(e) CPNI Certification for 2007

Date filed: February 6, 2008

Name of company covered by this certification: RTEC Communications

Name of signatory: Larry Wendt

Title of signatory: President, Board of Directors

I, Larry Wendt, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See 47 C.F.R. § 64.2001 et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system or at the Commission) against data brokers in the past year. Companies must report on any information that they have with respect to the processes pretexters are using to attempt to access CPNI, and what steps companies are taking to protect CPNI.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

Signed



\_\_\_\_\_

## **RTEC COMMUNICATIONS**

### **STATEMENT OF CPNI PROCEDURES**

RTEC Communications has created a CPNI Policy Handbook containing the following procedures that it has adopted to ensure the protection of CPNI. The handbook describes our procedures in greater detail and provides practical guidance on how to protect against unauthorized disclosure or use of CPNI. The handbook is distributed to our employees during training and serves as an important reference tool for our employees.

#### **Duty to Protect CPNI**

We as a communications company recognize our duty to protect customer CPNI. We may not disclose CPNI to unauthorized persons, nor may we use CPNI in certain ways without consent from our customers. Before we can provide customers with their own CPNI, we must authenticate the customer.

We recognize that there are a few cases in which we can disclose CPNI without first obtaining customer approval:

1. Administrative use: We may use CPNI to *initiate, render, bill and collect* for communications services.
2. Protection of carrier and third parties: We may use CPNI to protect the interests of our company, such as to prevent fraud or illegal use of our systems and network. Employees are notified of the steps to take, if any, in these sorts of situations.
3. As required by law: We may disclose CPNI if we are required to by law, such as through legal process (subpoenas) or in response to requests by law enforcement. Employees are notified of any steps they must take in these situations.

#### **Our Own Use Of CPNI**

We may use CPNI to provide or market services to our existing customers. We understand that we are required to obtain customer approval prior to using CPNI in certain ways.

##### **Marketing**

We understand that we do not need to obtain customer approval before using CPNI to market services to our existing customers within the categories of service to which the customer already subscribes.

We understand that we may not use CPNI to market services that are in a service category to which the customer does not already subscribe without customer approval.

We understand that we cannot use CPNI to solicit a customer to add a new category of service without first obtaining the customer's approval.

We know that we may not share CPNI with our affiliates unless we have obtained customer approval. For instance, in an effort to provide a total package of services, we may share our customers' CPNI with Ridgeville Telephone Company (phone, VoIP, CATV, and high speed internet), BrightNet

(wireless and dial-up internet), Bright Long Distance (long distance services), and ComNet (SOA, CNAM database queries, 800 queries, LNP queries, etc.). Before doing so, we obtain opt-in customer consent. We keep records of this approval on file in accordance with our record-keeping policies.

We also understand that we do not need customer consent before using CPNI to market "adjunct-to-basic" services such as speed dialing, computer-provided directory assistance, call monitoring, call tracing, call blocking, call return, repeat dialing, call tracking, call waiting, caller ID, call forwarding, and certain centrex features.

We understand that we may not use CPNI to identify or track customers that call competing service providers.

We regularly review our marketing practices to determine when and how CPNI is used within the company, and whether CPNI is being shared with other entities. We also review new marketing or sales campaigns to ensure compliance with these CPNI policies and with the FCC's CPNI regulations.

#### Provision of Services

We understand that we do not need customer approval to use CPNI to provide CPE and call answering, voice mail or messaging, voice storage and retrieval services, fax store and forward, and protocol conversion.

#### Authenticating Customers Before Disclosing CPNI

We understand that we are required to objectively determine that our customers are who they say they are before disclosing CPNI to them.

#### Telephone

We understand that when a customer calls, we may not release *call detail information*, or information relating to the transmission of specific telephone calls until we have obtained the account password from the caller, or called the customer back at the telephone number of record to ensure that the customer is who s/he says s/he is. Alternatively, we may offer to send the call detail information to the address of record or to the customer in person after s/he has produced valid photo identification at our office.

We understand that we may disclose *non-call detail information* over the telephone after authenticating the customer by calling back the telephone number of record, checking valid photo identification, or by mailing the information to the account address of record.

#### In-Person Authentication

We understand that before we can disclose CPNI to customers in person, the customer must present *valid government-issued photo identification*. The name on the photo identification must match the name on the account. If the customer cannot present the required identification, we offer to provide the requested CPNI by sending it to the account address of record.

Before providing the CPNI to the customer, we make a copy of the photo identification. This copy is then placed in the customer's file, together with a copy of the CPNI provided to the customer. These records are then kept in the customer file in accordance with our record-keeping policies.

#### Mail

If the customer requests CPNI through regular mail, or if the customer cannot comply with one of the authentication methods above, we send the requested information to the customer's address of record only.

#### Customer Notification of CPNI Rights

We provide a CPNI privacy policy to all customers annually, as a bill insert in the December bill. This policy provides notification to each customer of his/her right to restrict use of, disclosure of, and access to that customer's CPNI. We maintain a list of all customers who receive the privacy policy, the date on which the policy is sent, and a copy of the policy in our records for one (1) year following the mailing of the policy. We provide additional copies of the CPNI privacy policy to all customers who request it and to all new customers upon activation of service.

The policy contains an opt-in customer approval notice. Customers who wish to allow us to use their CPNI to market services outside their existing service categories, or who wish to allow us to share their CPNI with affiliates, are asked to contact us to tell us that they approve of this use. We understand that customers can change their option at any time by contacting us, and we notify our customers of this right.

We maintain records of the customers who received the opt-in approval notice and records of the customers who contacted us to opt-in in accordance with our record-keeping policies.

We understand that we must provide written notice to the FCC within five (5) business days if our opt-in mechanisms do not work properly to the degree that our customers' inability to opt-in is more than an anomaly.

#### Training And Discipline

We trained all of our employees regarding the company's CPNI policies prior to the effective date of the most recent CPNI regulations, December 8, 2007. Employees are required to attend an annual retraining to ensure that they understand the company's CPNI policies and any updates to those policies. New employees who will have access to CPNI are trained when they join the company, and then attend the regularly-scheduled retraining sessions. At the conclusion of each training session, employees are asked to sign certificates stating that they understand the company's CPNI policies and that they will comply with those policies.

We have implemented the following disciplinary guidelines for employees who fail to follow our CPNI policies:

RTEC Communications has informed its employees that it considers compliance with the Communications Act and FCC rules regarding the use, disclosure, and access to CPNI to be very important. Violation by

company employees of such CPNI requirements will lead to disciplinary action (including remedial training, reprimands, unfavorable performance reviews, and probation), depending upon the circumstances of the violation (including the severity of the violation, whether appropriate guidance was sought, and the extent to which the violation was or was not deliberate or malicious).

Disciplinary records are maintained in the company files in accordance with our record-keeping policies.

### **Record-Keeping**

We maintain the following records in our files for one (1) year:

- a. Records relating to the annual mailing of the customer CPNI privacy policy;
- b. Records of customer approval or disapproval of CPNI use, or the limitation or revocation thereof;
- c. Records of disclosure or provision of CPNI to affiliates for marketing purposes, including RTEC Communications' and affiliates' sales and marketing campaigns using customer CPNI, the CPNI used, and what products and services were offered as part of the campaign; and
- d. Employee disciplinary records.

We maintain records of discovered CPNI breaches, notifications to law enforcement regarding breaches, and any responses from law enforcement regarding those breaches, in our files for at least two (2) years.

### **Notification Of Account Changes**

We understand that we are required to notify customers when changes have been made to passwords, customer responses to back-up means of authentication, or addresses of record by mailing a notification to the account address of record.

We do not reveal the changed account data in the notification.

### **Unauthorized Disclosure Of CPNI**

We understand that we must report CPNI breaches to law enforcement no later than seven (7) business days after determining the breach has occurred, by sending electronic notification through the link at <http://www.fcc.gov/eb/CPNI/> to the central reporting facility, which will then notify the United States Secret Service (USSS) and the Federal Bureau of Investigation (FBI).

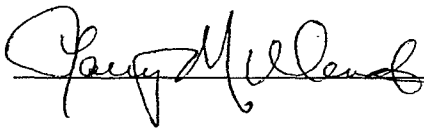
We understand that we may not notify customers or the public of the breach earlier than seven (7) days after we have notified law enforcement through the central reporting facility. If we wish to notify customers or the public immediately, where we feel that there is "an extraordinarily urgent need to notify" to avoid "immediate and irreparable harm," we inform law enforcement of our desire to notify and comply with law enforcement's directions.

Records relating to such notifications are kept in accordance with our record-keeping policies. These records include: (i) the date we discovered the breach, (ii) the date we notified law enforcement, (iii) a detailed description of the CPNI breached, and (iv) the circumstances of the breach.



During the course of the year, we compile information regarding pretexter attempts to gain improper access to CPNI, including any breaches or attempted breaches. We include this information in our annual CPNI compliance certification filed with the FCC.

Signed



---

Track Shipments/FedEx Kinko's Orders  
Detailed Results

**Tracking number** 726211797942  
**Signed for by** D.PARKER  
**Ship date** Feb 8, 2008  
**Delivery date** Feb 11, 2008 9:18 AM

**Reference** 043894.00001391  
66

**Destination** Capitol Heights, MD  
**Delivered to** Shipping/Receiving  
**Service type** Priority Envelope -  
Direct Signature  
Required  
**Weight** 0.5 lbs.

**Status** Delivered

**Signature image available** Yes

Date/Time	Activity	Location
Feb 11, 2008	9:18 AM <b>Delivered</b>	Capitol Heights, MD
	7:55 AM On FedEx vehicle for delivery	CROFTON, MD
	7:08 AM At local FedEx facility	CROFTON, MD
	6:01 AM At dest sort facility	BALTIMORE, MD
Feb 9, 2008	4:44 AM Departed FedEx location	INDIANAPOLIS, IN
	1:43 AM Arrived at FedEx location	INDIANAPOLIS, IN
Feb 8, 2008	11:11 PM Left origin	COLUMBUS, OH
	5:26 PM Picked up	COLUMBUS, OH
	2:07 PM Package data transmitted to FedEx	

[Signature proof](#)[E-mail results](#)[Track more shipments/o](#)

Subscribe to tracking updates (optional)

Your name:

Your e-mail address:

E-mail address

Language

Exception  
updates

<input type="text"/>	English	<input type="checkbox"/>
<input type="text"/>	English	<input type="checkbox"/>
<input type="text"/>	English	<input type="checkbox"/>
<input type="text"/>	English	<input type="checkbox"/>

Select format: ☒ HTML ☐ Text ☐ Wireless

Add personal message:

Not available for Wireless or  
non-English characters.



By selecting this check box and the Submit button, I agree to these [Terms and Conditions](#)

PLEASE FOLD THIS SHIPPING DOCUMENT IN HALF AND PLACE IT IN A WAYBILL POUCH AFFIXED TO YOUR SHIPMENT SO THAT THE BARCODE PORTION OF THE LABEL CAN BE READ AND SCANNED. \*\*\*WARNING: USE ONLY THE PRINTED ORIGINAL LABEL FOR SHIPPING. USING A PHOTOCOPY OF THIS LABEL FOR SHIPPING PURPOSES IS FRAUDULENT AND COULD RESULT IN ADDITIONAL BILLING CHARGES, ALONG WITH THE CANCELLATION OF YOUR FEDEX ACCOUNT NUMBER.

From: Origin ID: GQQA (614) 469 3216  
Lynne Lonier  
THOMPSON HINE L L P  
10 W BROAD ST  
STE700  
COLUMBUS, OH 43215



CL6050107/21/23

SHIP TO: (614) 469 3274 **BILL SENDER**  
**Federal Communications Commission**  
**Marlene H. Dortch**  
**Office of the Secretary**  
**9300 East Hampton Drive**  
**Capitol Heights, MD 20743**

Ship Date: 08FEB08  
ActWgt: 1 LB  
System#: 414968/FXRS0773  
Account#: S 102916026

Delivery Address Bar Code



Ref # 043894.0000139166  
Invoice #  
PO #  
Dept #

**PRIORITY OVERNIGHT****MON**Deliver By:  
11FEB08

TRK# 7262 1179 7942

FORM  
0201**BWI A2****20743** -MD-US  
DSR**NX GBOA**